

S U S A N

C O M B S

TEXAS COMPTROLLER *of* PUBLIC ACCOUNTS

P.O. Box 13528 • AUSTIN, TX 78711-3528



March 10, 2014

Stephen Patterson
Superintendent of Schools
Orangefield Independent School District
P.O. Box 228
Orangefield, Texas 77639

Dear Superintendent Patterson:

On December 16, 2013, the Comptroller received the completed application (Application # 359) for a limitation on appraised value under the provisions of Tax Code Chapter 313¹. This application was originally submitted in November 2013 to the Orangefield Independent School District (the school district) by Enterprise Products Operating, LLC (the applicant). This letter presents the results of the Comptroller's review of the application:

- 1) under Section 313.025(h) to determine if the property meets the requirements of Section 313.024 for eligibility for a limitation on appraised value under Chapter 313, Subchapter C; and
- 2) under Section 313.025(d), to make a recommendation to the governing body of the school district as to whether the application should be approved or disapproved using the criteria set out by Section 313.026.

The school district is currently classified as a rural school district in Category 3 according to the provisions of Chapter 313. Therefore, the applicant properly applied under the provisions of Subchapter C, applicable to rural school districts. The amount of proposed qualified investment (\$867 million) is consistent with the proposed appraised value limitation sought (\$10 million). The property value limitation amount noted in this recommendation is based on property values available at the time of application and may change prior to the execution of any final agreement.

The applicant is an active franchise taxpayer in good standing, as required by Section 313.024(a), and is proposing the construction of a manufacturing facility in Orange County, an eligible property use under Section 313.024(b). The Comptroller has determined that the property, as described in the application, meets the requirements of Section 313.024 for eligibility for a limitation on appraised value under Chapter 313, Subchapter C.

After reviewing the application using the criteria listed in Section 313.026, and the information provided by the applicant, the Comptroller's recommendation is that this application under Tax Code Chapter 313 be approved.

Our review of the application assumes the truth and accuracy of the statements in the application and that, if the application is approved, the applicant would perform according to the provisions of the agreement reached with the school district. Our recommendation does not address whether the applicant has complied with all Chapter 313 requirements; the school district is responsible for verifying that all requirements of the statute have been fulfilled. Additionally, Section 313.025 requires the school district to only approve an application if the school district finds that the information in the application is true and

¹ All statutory references are to the Texas Tax Code, unless otherwise noted.

correct, finds that the applicant is eligible for a limitation and determines that granting the application is in the best interest of the school district and this state. As stated above, the Comptroller's recommendation is prepared by generally reviewing the application and supporting documentation in light of the Section 313.026 criteria.

Note that any new building or other improvement existing as of the application review start date of December 16, 2013, or any tangible personal property placed in service prior to that date may not become "Qualified Property" as defined by 313.021(2).

The Comptroller's recommendation is based on the application submitted by the school district and reviewed by the Comptroller. The recommendation may not be used by the school district to support its approval of the property value limitation agreement if the application is modified, the information presented in the application changes, or the limitation agreement does not conform to the application. Additionally, this recommendation is contingent on future compliance with the Chapter 313 and Texas Administrative Code, with particular reference to the following requirements related to the execution of the agreement:

- 1) The applicant must provide the Comptroller a copy of the proposed limitation on appraised value agreement no later than ten (10) days prior to the meeting scheduled by the school district to consider approving the agreement, so that the Comptroller may review it for compliance with the statutes and the Comptroller's rules as well as consistency with the application;
- 2) The limitation agreement must contain provisions that require:
 - a. the applicant to provide sufficient information to the Central Appraisal District (CAD) to distinguish between and separately appraise qualified property (as defined by 313.021(2)) from any property that is not qualified;
 - b. the school district to confirm with the CAD that the applicant has provided such information; and
 - c. that the Comptroller is provided with the CAD approved information no later than the first annual reporting period following the execution of the agreement;
- 3) The Comptroller must confirm that it received and reviewed the draft agreement and affirm the recommendation made in this letter;
- 4) The school district must approve and execute a limitation agreement that has been reviewed by the Comptroller within a year from the date of this letter; and
- 5) The school district must provide a copy of the signed limitation agreement to the Comptroller within seven (7) days after execution, as required by Section 313.025.

Should you have any questions, please contact Robert Wood, director of Economic Development & Analysis Division, by email at robert.wood@cpa.state.tx.us or by phone at 1-800-531-5441, ext. 3-3973, or direct in Austin at 512-463-3973.

Sincerely,



Martin A. Hubert
Deputy Comptroller

Enclosure

cc: Robert Wood

Economic Impact for Chapter 313 Project

Applicant	Enterprise Products Operating, LLC Products Operating, LLC
Tax Code, 313.024 Eligibility Category	Manufacturing
School District	Orangefield ISD
2012-13 Enrollment in School District	1,707
County	Orange
Total Investment in District	\$867,625,000
Qualified Investment	\$867,625,000
Limitation Amount	\$10,000,000
Number of total jobs committed to by applicant	10
Number of qualifying jobs committed to by applicant	10
Average Weekly Wage of Qualifying Jobs committed to by applicant	\$1,346
Minimum Weekly Wage Required Tax Code, 313.051(b)	\$1,293
Minimum Annual Wage committed to by applicant for qualified jobs	\$70,000
Investment per Qualifying Job	\$86,762,500
Estimated 15 year M&O levy without any limit or credit:	\$85,727,310
Estimated gross 15 year M&O tax benefit	\$57,191,281
Estimated 15 year M&O tax benefit (<i>after</i> deductions for estimated school district revenue protection--but not including any deduction for supplemental payments or extraordinary educational expenses):	\$50,523,865
Tax Credits (estimated - part of total tax benefit in the two lines above - appropriated through Foundation School Program)	\$7,822,737
Net M&O Tax (15 years) After Limitation, Credits and Revenue Protection:	\$35,203,445
Tax benefit as a percentage of what applicant would have paid without value limitation agreement (percentage exempted)	58.9%
Percentage of tax benefit due to the limitation	86.3%
Percentage of tax benefit due to the credit	13.7%
* Applicant is requesting district to waive requirement to create minimum number of qualifying jobs pursuant to Tax Code, 313.025 (f-1).	

This presents the Comptroller's economic impact evaluation of Enterprise Products Operating, LLC (the project) applying to Orangefield Independent School District (the district), as required by Tax Code, 313.026. This evaluation is based on information provided by the applicant and examines the following criteria:

- (1) the recommendations of the comptroller;
- (2) the name of the school district;
- (3) the name of the applicant;
- (4) the general nature of the applicant's investment;
- (5) the relationship between the applicant's industry and the types of qualifying jobs to be created by the applicant to the long-term economic growth plans of this state as described in the strategic plan for economic development submitted by the Texas Strategic Economic Development Planning Commission under Section 481.033, Government Code, as that section existed before February 1, 1999;
- (6) the relative level of the applicant's investment per qualifying job to be created by the applicant;
- (7) the number of qualifying jobs to be created by the applicant;
- (8) the wages, salaries, and benefits to be offered by the applicant to qualifying job holders;
- (9) the ability of the applicant to locate or relocate in another state or another region of this state;
- (10) the impact the project will have on this state and individual local units of government, including:
 - (A) tax and other revenue gains, direct or indirect, that would be realized during the qualifying time period, the limitation period, and a period of time after the limitation period considered appropriate by the comptroller; and
 - (B) economic effects of the project, including the impact on jobs and income, during the qualifying time period, the limitation period, and a period of time after the limitation period considered appropriate by the comptroller;
- (11) the economic condition of the region of the state at the time the person's application is being considered;
- (12) the number of new facilities built or expanded in the region during the two years preceding the date of the application that were eligible to apply for a limitation on appraised value under this subchapter;
- (13) the effect of the applicant's proposal, if approved, on the number or size of the school district's instructional facilities, as defined by Section 46.001, Education Code;
- (14) the projected market value of the qualified property of the applicant as determined by the comptroller;
- (15) the proposed limitation on appraised value for the qualified property of the applicant;
- (16) the projected dollar amount of the taxes that would be imposed on the qualified property, for each year of the agreement, if the property does not receive a limitation on appraised value with assumptions of the projected appreciation or depreciation of the investment and projected tax rates clearly stated;
- (17) the projected dollar amount of the taxes that would be imposed on the qualified property, for each tax year of the agreement, if the property receives a limitation on appraised value with assumptions of the projected appreciation or depreciation of the investment clearly stated;
- (18) the projected effect on the Foundation School Program of payments to the district for each year of the agreement;
- (19) the projected future tax credits if the applicant also applies for school tax credits under Section 313.103; and
- (20) the total amount of taxes projected to be lost or gained by the district over the life of the agreement computed by subtracting the projected taxes stated in Subdivision (17) from the projected taxes stated in Subdivision (16).

Wages, salaries and benefits [313.026(6-8)]

After construction, the project will create ten new jobs when fully operational. All ten jobs will meet the criteria for qualifying jobs as specified in Tax Code Section 313.021(3). According to the Texas Workforce Commission (TWC), the regional manufacturing wage for the South East Texas Regional Planning Commission where Orange County is located was \$61,118 in 2013. The annual average manufacturing wage for 2012-2013 for Orange County is \$81,328. That same year, the county annual average wage for all industries was \$46,748. In addition to an annual average salary of \$70,000 each qualifying position will receive benefits such as medical and dental insurance, life Insurance, 401K savings plan, vacation, holiday pay and employee Unit Purchase Plan. The project's total investment is \$867 million, resulting in a relative level of investment per qualifying job of \$86.7 million.

Ability of applicant to locate to another state and [313.026(9)]

According to Enterprise Products Operating, LLC's application, Enterprise is a leading midstream energy company with a large pipeline foot print in the United States, as shown on the attached map. These pipelines provide substantial flexibility in plant location. Enterprise has Gas manufacturing locations in TX, LA, NM, CO, and WY. These pipelines provide substantial flexibility in determining where plants are built.

Number of new facilities in region [313.026(12)]

During the past two years, seven projects in the South East Texas Regional Planning Commission applied for value limitation agreements under Tax Code, Chapter 313.

Relationship of applicant's industry and jobs and Texas's economic growth plans [313.026(5)]

The Texas Economic Development Plan focuses on attracting and developing industries using technology. It also identifies opportunities for existing Texas industries. The plan centers on promoting economic prosperity throughout Texas and the skilled workers that the Enterprise Products Operating, LLC project requires appear to be in line with the focus and themes of the plan. Texas identified manufacturing as one of six target clusters in the Texas Cluster Initiative. The plan stresses the importance of technology in all sectors of the manufacturing industry.

Economic Impact [313.026(10)(A), (10)(B), (11), (13-20)]

Table 1 depicts Enterprise Products Operating, LLC's estimated economic impact to Texas. It depicts the direct, indirect and induced effects to employment and personal income within the state. The Comptroller's office calculated the economic impact based on 15 years of annual investment and employment levels using software from Regional Economic Models, Inc. (REMI). The impact includes the construction period and the operating period of the project.

Table 1: Estimated Statewide Economic Impact of Investment and Employment in Enterprise Products Operating, LLC

Year	Employment			Personal Income		
	Direct	Indirect + Induced	Total	Direct	Indirect + Induced	Total
2015	505	553	1058	\$30,350,000	\$37,650,000	\$68,000,000
2016	507	570	1077	\$30,490,000	\$44,510,000	\$75,000,000
2017	10	59	69	\$700,000	\$12,300,000	\$13,000,000
2018	10	56	66	\$700,000	\$10,300,000	\$11,000,000
2019	10	49	59	\$700,000	\$8,300,000	\$9,000,000
2020	10	45	55	\$700,000	\$8,300,000	\$9,000,000
2021	10	54	64	\$700,000	\$7,300,000	\$8,000,000
2022	10	58	68	\$700,000	\$8,300,000	\$9,000,000
2023	10	68	78	\$700,000	\$9,300,000	\$10,000,000
2024	10	74	84	\$700,000	\$9,300,000	\$10,000,000
2025	10	82	92	\$700,000	\$9,300,000	\$10,000,000
2026	10	60	70	\$700,000	\$7,300,000	\$8,000,000
2027	10	54	64	\$700,000	\$8,300,000	\$9,000,000
2028	10	51	61	\$700,000	\$7,300,000	\$8,000,000
2029	10	47	57	\$700,000	\$7,300,000	\$8,000,000

Source: CPA, REMI, Enterprise Products Operating, LLC

The statewide average ad valorem tax base for school districts in Texas was \$1.65 billion in 2012-2013. Orangefield ISD's ad valorem tax base in 2012-2013 was \$437 million. The statewide average wealth per WADA was estimated at \$343,155 for fiscal 2012-2013. During that same year, Orangefield ISD's estimated wealth per WADA was \$200,083. The impact on the facilities and finances of the district are presented in Attachment 2.

Table 2 examines the estimated direct impact on ad valorem taxes to the school district, Orange County, Orange County Drainage District and Orange County Navigation and Port District with all property tax incentives sought being granted using estimated market value from Enterprise Products Operating, LLC's application. Enterprise Products Operating, LLC has applied for both a value limitation under Chapter 313, Tax Code and tax abatements with the county, drainage district and navigation and port district. Table 3 illustrates the estimated tax impact of the Enterprise Products Operating, LLC project on the region if all taxes are assessed.

Table 2 Estimated Direct Ad Valorem Taxes with all property tax incentives sought											
Year	Estimated Taxable Value for I&S	Estimated Taxable Value for M&O		Orangefield ISD I&S Tax Levy	Orangefield ISD M&O Tax Levy	ISD M&O and I&S Tax Levies (Before Credit Credited)	Orangefield ISD M&O and I&S Tax Levies (After Credit Credited)	Orange County Tax Levy	Orange County Drainage District Tax Levy	Orange County Navigation & Port Dist. Tax Levy	Estimated Total Property Taxes
			Tax Rate	0.1300	1.0400			0.529900	0.107260	0.008110	
2015	\$112,791,250	\$112,791,250		\$146,629	\$1,173,029	\$1,319,658	\$1,319,658	\$0	\$0	\$0	\$1,319,658
2016	\$659,395,000	\$659,395,000		\$857,214	\$6,857,708	\$7,714,922	\$7,714,922	\$0	\$0	\$0	\$7,714,922
2017	\$646,887,318	\$10,000,000		\$840,954	\$104,000	\$944,954	\$944,954	\$0	\$0	\$0	\$944,954
2018	\$633,949,572	\$10,000,000		\$824,134	\$104,000	\$928,134	\$928,134	\$0	\$0	\$0	\$928,134
2019	\$621,270,580	\$10,000,000		\$807,652	\$104,000	\$911,652	\$447,585	\$0	\$0	\$0	\$447,585
2020	\$608,845,169	\$10,000,000		\$791,499	\$104,000	\$895,499	\$439,673	\$0	\$0	\$0	\$439,673
2021	\$596,668,265	\$10,000,000		\$775,669	\$104,000	\$879,669	\$431,920	\$0	\$0	\$0	\$431,920
2022	\$584,734,900	\$10,000,000		\$760,155	\$104,000	\$864,155	\$424,321	\$0	\$0	\$0	\$424,321
2023	\$573,040,202	\$10,000,000		\$744,952	\$104,000	\$848,952	\$416,874	\$0	\$0	\$0	\$416,874
2024	\$561,579,398	\$10,000,000		\$730,053	\$104,000	\$834,053	\$409,577	\$0	\$0	\$0	\$409,577
2025	\$550,347,810	\$550,347,810		\$715,452	\$5,723,617	\$6,439,069	\$6,022,042	\$2,916,293	\$590,303	\$44,633	\$9,573,272
2026	\$539,340,854	\$539,340,854		\$701,143	\$5,609,145	\$6,310,288	\$1,568,608	\$2,857,967	\$578,497	\$43,741	\$5,048,813
2027	\$528,554,037	\$528,554,037		\$687,120	\$5,496,962	\$6,184,082	\$6,184,082	\$2,800,808	\$566,927	\$42,866	\$9,594,683
2028	\$517,982,956	\$517,982,956		\$673,378	\$5,387,023	\$6,060,401	\$6,060,401	\$2,744,792	\$555,589	\$42,008	\$9,402,789
2029	\$507,623,297	\$507,623,297		\$659,910	\$5,279,282	\$5,939,193	\$5,939,193	\$2,689,896	\$544,477	\$41,168	\$9,214,733
						Total	\$39,251,943	\$14,009,756	\$2,835,792	\$214,416	\$56,311,907

Assumes School Value Limitation and Tax Abatements with the County, Drainage District and the Navigation & Port District.

Source: CPA, Enterprise Products Operating, LLC

¹Tax Rate per \$100 Valuation

Table 3 Estimated Direct Ad Valorem Taxes without property tax incentives											
Year	Estimated Taxable Value for I&S	Estimated Taxable Value for M&O		Orangefield ISD I&S Tax Levy	Orangefield ISD M&O Tax Levy		Orangefield ISD M&O and I&S Tax Levies	Orange County Tax Levy	Orange County Drainage District Tax Levy	Orange County Navigation & Port Dist. Tax Levy	Estimated Total Property Taxes
			Tax Rate	0.1300	1.0400			0.529900	0.107260	0.008110	
2015	\$112,791,250	\$112,791,250		\$146,629	\$1,173,029		\$1,319,658	\$597,681	\$120,980	\$9,147	\$2,047,466
2016	\$659,395,000	\$659,395,000		\$857,214	\$6,857,708		\$7,714,922	\$3,494,134	\$707,267	\$53,477	\$11,969,800
2017	\$646,887,318	\$646,887,318		\$840,954	\$6,727,628		\$7,568,582	\$3,427,856	\$693,851	\$52,463	\$11,742,751
2018	\$633,949,572	\$633,949,572		\$824,134	\$6,593,076		\$7,417,210	\$3,359,299	\$679,974	\$51,413	\$11,507,896
2019	\$621,270,580	\$621,270,580		\$807,652	\$6,461,214		\$7,268,866	\$3,292,113	\$666,375	\$50,385	\$11,277,738
2020	\$608,845,169	\$608,845,169		\$791,499	\$6,331,990		\$7,123,488	\$3,226,271	\$653,047	\$49,377	\$11,052,184
2021	\$596,668,265	\$596,668,265		\$775,669	\$6,205,350		\$6,981,019	\$3,161,745	\$639,986	\$48,390	\$10,831,140
2022	\$584,734,900	\$584,734,900		\$760,155	\$6,081,243		\$6,841,398	\$3,098,510	\$627,187	\$47,422	\$10,614,517
2023	\$573,040,202	\$573,040,202		\$744,952	\$5,959,618		\$6,704,570	\$3,036,540	\$614,643	\$46,474	\$10,402,227
2024	\$561,579,398	\$561,579,398		\$730,053	\$5,840,426		\$6,570,479	\$2,975,809	\$602,350	\$45,544	\$10,194,182
2025	\$550,347,810	\$550,347,810		\$715,452	\$5,723,617		\$6,439,069	\$2,916,293	\$590,303	\$44,633	\$9,990,299
2026	\$539,340,854	\$539,340,854		\$701,143	\$5,609,145		\$6,310,288	\$2,857,967	\$578,497	\$43,741	\$9,790,493
2027	\$528,554,037	\$528,554,037		\$687,120	\$5,496,962		\$6,184,082	\$2,800,808	\$566,927	\$42,866	\$9,594,683
2028	\$517,982,956	\$517,982,956		\$673,378	\$5,387,023		\$6,060,401	\$2,744,792	\$555,589	\$42,008	\$9,402,789
2029	\$507,623,297	\$507,623,297		\$659,910	\$5,279,282		\$5,939,193	\$2,689,896	\$544,477	\$41,168	\$9,214,733
						Total	\$96,443,224	\$43,679,713	\$8,841,453	\$668,508	\$149,632,899

Source: CPA, Enterprise Products Operating, LLC

¹Tax Rate per \$100 Valuation

Attachment 1 includes schedules A, B, C, and D provided by the applicant in the application. Schedule A shows proposed investment. Schedule B is the projected market value of the qualified property. Schedule C contains employment information, and Schedule D contains tax expenditures and other tax abatement information.

Attachment 2, provided by the district and reviewed by the Texas Education Agency, contains information relating to the financial impact of the proposed project on the finances of the district as well as the tax benefit of the value limitation. "Table 5" in this attachment shows the estimated 15 year M&O tax levy without the value limitation agreement would be \$85,727,310. The estimated gross 15 year M&O tax benefit, or levy loss, is \$57,191,281.

Attachment 3 is an economic overview of Orange County.

Disclaimer: This examination is based on information from the application submitted to the school district and forwarded to the comptroller. It is intended to meet the statutory requirement of Chapter 313 of the Tax Code and is not intended for any other purpose.

Attachments

1. Schedules A, B, C, and D provided by applicant in application
2. School finance and tax benefit provided by district
3. County Economic Overview

Attachment 1

Schedule A (Rev. May 2010): Investment

Form 50-296

Applicant Name: Enterprise Products, LP
 ISD Name: Orangeville ISD

PROPERTY INVESTMENT AMOUNTS									
(Estimated investment in each year. Do not put cumulative totals.)									
	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	Column A: Tangible Personal Property The amount of new investment (original cost) placed in service during this year	Column B: Building or permanent nonremovable component of building (annual amount only)	Column C: Sum of A and B Qualifying investment (during the qualifying time period)	Column D: Other investment that is not qualified investment but investment affecting economic impact and total value	Column E: Total Investment (A+B+D)	
The year preceding the first complete tax year of the qualifying time period (assuming no deferrals)	Investment made before filing complete application with district (neither qualified property nor eligible to become qualified investment)	2013-2014	2013	-	-	-	-	-	-
	Investment made after filing complete application with district, but before final board approval of application (eligible to become qualified property)	2014-2015	2014	\$	-	-	-	\$	-
	Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period (qualified investment and eligible to become qualified property)	2014-2015	2014		173,525,000	173,525,000	-	173,525,000	
	Complete tax years of qualifying time period	1	2015-2016		\$	694,100,000	\$	\$	694,100,000
		2	2016-2017		\$	-	-	\$	-
		3	2017-2018		-	-	-	-	-
		4	2018-2019		-	-	-	-	-
		5	2019-2020		-	-	-	-	-
		6	2020-2021		-	-	-	-	-
		7	2021-2022		-	-	-	-	-
		8	2022-2023		-	-	-	-	-
		9	2023-2024		-	-	-	-	-
		10	2024-2025		-	-	-	-	-
	Value Limitation Period	11	2025-2026		-	-	-	-	-
		12	2026-2027		-	-	-	-	-
		13	2027-2028		-	-	-	-	-
		14	2028-2029		-	-	-	-	-
		15	2029-2030		-	-	-	-	-
Tax Credit Period (with 50% cap on credit)	Continue to Maintain Viable Presence								
Credit Settle-Up Period	Post-Settle-Up Period								
	Post-Settle-Up Period								

Qualifying Time Period usually begins with the final board approval of the application and extends generally for the following two complete tax years.
 Column A: This represents the total dollar amount of planned investment in tangible personal property the applicant considers qualified investment - as defined in Tax Code §313.021(1)(A)-(D).
 For the purposes of investment, please list amount invested each year, not cumulative totals.

Column B: Include estimates of investment for "replacement" property-property that is part of original agreement but scheduled for probable replacement during limitation period.
 The total dollar amount of planned investment each year in buildings or nonremovable component of buildings that the applicant considers qualified investment under Tax Code §313.021(1)(E).

Column D: For the years outside the qualifying time period, this number should simply represent the planned investment in new buildings or nonremovable components of buildings.
 Dollar value of other investment that may not be qualified investment but that may affect economic impact and total value for planning, construction and operation of the facility.
 The most significant example for many projects would be land. Other examples may be items such as professional services, etc.
 Note: Land can be listed as part of investment during the "pre-year 1" time period. It cannot be part of qualifying investment.

Notes: For advanced clean energy projects, nuclear projects, projects with deferred qualifying time periods, and projects with lengthy application review periods, insert additional rows as needed.
 This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

Signature _____ DATE 11/13/13

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

Schedule B (Rev. May 2010): Estimated Market And Taxable Value
Enterprise Products, LP

Form 50-296

Applicant Name
 ISD Name

Orangefield ISD

							Qualified Property			Reductions from Market Value	Estimated Taxable Value	
							Estimated Market Value of Land	Estimated Total Market Value of new buildings or other new improvements	Estimated Total Market Value of tangible personal property in the new building or "in or on the new improvement"		Final taxable value for 18S - after all reductions	Final taxable value for MAO--after all reductions
		Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY								
		pre-year 1	2014-2015	2014			-	-	-	-	-	-
		1	2015-2016	2015			-	-	112,791,250	-	112,791,250	112,791,250
		2	2016-2017	2016			-	-	694,100,000	34,705,000	659,395,000	659,395,000
		3	2017-2018	2017			-	-	680,218,000	33,330,682	646,887,318	10,000,000
		4	2018-2019	2018			-	-	666,613,640	32,664,068	633,949,572	10,000,000
		5	2019-2020	2019			-	-	653,281,367	32,010,787	621,270,580	10,000,000
		6	2020-2021	2020			-	-	640,215,740	31,370,571	608,845,169	10,000,000
		7	2021-2022	2021			-	-	627,411,425	30,743,160	596,668,265	10,000,000
		8	2022-2023	2022			-	-	614,863,197	30,128,297	584,734,900	10,000,000
		9	2023-2024	2023			-	-	602,565,933	29,525,731	573,040,202	10,000,000
		10	2024-2025	2024			-	-	590,514,614	28,935,216	561,579,398	10,000,000
		11	2025-2026	2025			-	-	578,704,322	28,356,512	550,347,810	550,347,810
		12	2026-2027	2026			-	-	567,130,235	27,789,382	539,340,854	539,340,854
		13	2027-2028	2027			-	-	555,787,631	27,233,594	528,554,037	528,554,037
		14	2028-2029	2028			-	-	544,671,878	26,688,922	517,982,956	517,982,956
		15	2029-2030	2029			-	-	533,778,440	26,155,144	507,623,297	507,623,297
Tax Credit Period (with 50% cap on credit)	Complete tax years of qualifying time period											
	Value Limitation Period											
Credit Settle-Up Period	Continue to Maintain Viable Presence											
	Post-Settle-Up Period											
	Post-Settle-Up Period											

Notes: Market value in future years is good faith estimate of future taxable value for the purposes of property taxation. This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

Justin Tate 11/13/13

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE

Schedule C- Application: Employment Information

Applicant Name
ISD Name

Enterprise Products, LP
Orangefield ISD

Form 50-296

		Construction		New Jobs		Qualifying Jobs	
		Column A: Number of Construction FTE's or man- hours (specify)	Column B: Average annual wage rates for construction workers	Column C: Number of new jobs applicant commits to create (cumulative)	Column D: Average annual wage rate for all new jobs.	Column E: Number of qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Column F: Average annual wage of qualifying jobs
	Year						
	pre- year 1	0	0	0	\$ -	0	\$ -
	1	500 FTE	\$ 60,000	5	\$ 70,000	5	\$ 70,000
	2	500 FTE	\$ 60,000	7	\$ 70,000	7	\$ 70,000
	3			10	\$ 70,000	10	\$ 70,000
	4			10	\$ 70,000	10	\$ 70,000
	5			10	\$ 70,000	10	\$ 70,000
	6			10	\$ 70,000	10	\$ 70,000
	7			10	\$ 70,000	10	\$ 70,000
	8			10	\$ 70,000	10	\$ 70,000
	9			10	\$ 70,000	10	\$ 70,000
	10			10	\$ 70,000	10	\$ 70,000
	11			10	\$ 70,000	10	\$ 70,000
	12			10	\$ 70,000	10	\$ 70,000
	13			10	\$ 70,000	10	\$ 70,000
	14			10	\$ 70,000	10	\$ 70,000
	15			10	\$ 70,000	10	\$ 70,000
Tax Credit Period (with 50% cap on credit)	Complete tax years of qualifying time period						
	Value Limitation Period						
Credit Settle-Up Period	Continue to Maintain Viable Presence						
	Post- Settle-Up Period						
	Post- Settle-Up Period						

Notes: For job definitions see TAC §§.1051(14) and Tax Code §313.021(3).

This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

Aut Date

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE

11/18/13

Schedule D: (Rev. May 2010): Other Tax Information

Applicant Name		Enterprise Products, LP		ISD Name		Barbers Hill ISD				Form 50-296	
				Sales Tax Information		Franchise Tax		Other Property Tax Abatements Sought			
				Sales Taxable Expenditures		Franchise Tax					
				Column F: Estimate of total annual expenditures* subject to state sales tax.	Column G: Estimate of total annual expenditures* made in Texas NOT subject to sales tax	Column H: Estimate of Franchise tax due from (or attributable to) the applicant	County	City	Hospital	Other	
		Year	School Year (YYYY-YYYY)	Tax/ Calendar Year YYYY							
The year preceding the first complete tax year of the qualifying time period (assuming no deferrals)			2014-2015	2014							
	Complete tax years of qualifying time period	1	2015-2016	2015	\$ 173,525,000	\$ 520,575,000	\$ 33,000,000	100	N/A	100	
		2	2016-2017	2016	\$	\$	\$ 33,000,000	100	N/A	100	
		3	2017-2018	2017	\$ 215,000		\$ 33,000,000	100	N/A	100	
		4	2018-2019	2018	\$ 215,000		\$ 33,000,000	100	N/A	100	
		5	2019-2020	2019	\$ 215,000		\$ 33,000,000	100	N/A	100	
		6	2020-2021	2020	\$ 215,000		\$ 33,000,000	100	N/A	100	
		7	2021-2022	2021	\$ 215,000		\$ 33,000,000	100	N/A	100	
		8	2022-2023	2022	\$ 215,000		\$ 33,000,000	100	N/A	100	
		9	2023-2024	2023	\$ 215,000		\$ 33,000,000	100	N/A	100	
		10	2024-2025	2024	\$ 215,000		\$ 33,000,000	100	N/A	100	
		11	2025-2026	2025	\$ 215,000		\$ 33,000,000				
		12	2026-2027	2026	\$ 215,000		\$ 33,000,000				
		13	2027-2028	2027	\$ 215,000		\$ 33,000,000				
		14	2028-2029	2028	\$ 215,000		\$ 33,000,000				
		15	2029-2030	2029	\$ 600,000		\$ 33,000,000				
Tax Credit Period (with 50% cap on credit)	Value Limitation Period										
Credit Settle-Up Period	Continue to Maintain Viable Presence										
Post-Settle-Up Period											
Post-Settle-Up Period											

*For planning, construction and operation of the facility.

unt Jato

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE

Attachment 2



1701 North Congress Ave. • Austin, Texas 78701-1494 • 512 463-9734 • 512 463-9838 FAX • www.tea.state.tx.us

Michael Williams
Commissioner

March 6, 2014

Mr. Robert Wood
Director, Economic Development and Analysis
Texas Comptroller of Public Accounts
Lyndon B. Johnson State Office Building
111 East 17th Street
Austin, Texas 78774

Dear Mr. Wood:

As required by the Tax Code, §313.025 (b-1), the Texas Education Agency (TEA) has evaluated the impact of the proposed Enterprise Products LP project on the number and size of school facilities in Orangefield Independent School District (OISD). Based on the analysis prepared by Moak, Casey and Associates for the school district and a conversation with the OISD assistant superintendent, Shaun McAlpin, the TEA has found that the Enterprise Products LP project would not have a significant impact on the number or size of school facilities in OISD.

Please feel free to contact me by phone at (512) 463-9186 or by email at al.mckenzie@tea.state.tx.us if you need further information about this issue.

Sincerely,

A handwritten signature in blue ink, appearing to read "Al McKenzie", is written over a horizontal line.

Al McKenzie, Manager
Foundation School Program Support

AM/rk



1701 North Congress Ave. • Austin, Texas 78701-1494 • 512 463-9734 • 512 463-9838 FAX • www.tea.state.tx.us

Michael Williams
Commissioner

March 6, 2014

Mr. Robert Wood
Director, Economic Development and Analysis
Texas Comptroller of Public Accounts
Lyndon B. Johnson State Office Building
111 East 17th Street
Austin, Texas 78774

Dear Mr. Wood:

The Texas Education Agency (TEA) has analyzed the revenue gains that would be realized by the proposed Enterprise Products LP project for the Orangefield Independent School District (OISD). Projections prepared by the TEA State Funding Division confirm the analysis that was prepared by Moak, Casey and Associates and provided to us by your division. We believe their assumptions regarding the potential revenue gain are valid, and their estimates of the impact of the Enterprise Products LP project on OISD are correct.

Please feel free to contact me by phone at (512) 463-9186 or by email at al.mckenzie@tea.state.tx.us if you need further information about this issue.

Sincerely,

A handwritten signature in blue ink, appearing to read "Al McKenzie", is written over a horizontal line.

Al McKenzie, Manager
Foundation School Program Support

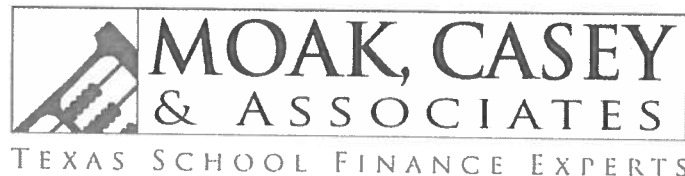
AM/rk

**SUMMARY OF FINANCIAL IMPACT OF THE PROPOSED
ENTERPRISE PRODUCTS, LP PROJECT ON THE FINANCES OF
THE ORANGEFIELD INDEPENDENT SCHOOL DISTRICT UNDER A
REQUESTED CHAPTER 313 PROPERTY VALUE LIMITATION**

December 6, 2013

Final Report

PREPARED BY



Estimated Impact of the Proposed Enterprise Products, LP Project on the Finances of the Orangefield Independent School District under a Requested Chapter 313 Property Value Limitation

Introduction

Enterprise Products, LP (Enterprise) has requested that the Orangefield Independent School District (OISD) consider granting a property value limitation under Chapter 313 of the Tax Code, also known as the Texas Economic Development Act. In an application submitted to OISD on November 18, 2013, Enterprise proposes to invest \$867.6 million to construct a new manufacturing project in OISD.

The Enterprise project is consistent with the state's goal to "encourage large scale capital investments in this state." When enacted as House Bill 1200 in 2001, Chapter 313 of the Tax Code granted eligibility to companies engaged in manufacturing, research and development, and renewable electric energy production to apply to school districts for property value limitations. Subsequent legislative changes expanded eligibility to clean coal projects, nuclear power generation and data centers, among others.

Under the provisions of Chapter 313, OISD may offer a minimum value limitation of \$10 million. The provisions of Chapter 313 call for the project to be fully taxable in the 2015-16 and 2016-17 school years, unless the District and the Company agree to an extension of the start of the two-year qualifying time period. For the purpose of this analysis, it is assumed that the qualifying time period will be the 2015-16 and 2016-17 school years. Beginning with the 2017-18 school year, the project would go on the local tax roll at \$10 million and remain at that level of taxable value for eight years for maintenance and operations (M&O) taxes.

The full taxable value of the project could be assessed for debt service taxes on voter-approved bond issues throughout the limitation period, with OISD currently levying a \$0.130 I&S tax rate. The full taxable value of the investment is expected to reach \$659 million in 2016-17, with depreciation expected to reduce the taxable value of the project over the course of the value limitation agreement. This level of investment more than doubles the current taxable value of OISD in the 2016-17 school year, providing a sizable I&S benefit for the District.

In the case of the Enterprise project, the agreement calls for a calculation of the revenue impact of the value limitation in years 3-10 of the agreement, under whatever school finance and property tax laws are in effect in each of those years. Under current law, OISD would experience a revenue loss of \$6.7 million as a result of the implementation of the value limitation in the 2017-18 school year, with no out-year revenue losses expected.

Under the assumptions outlined below, the potential tax benefits under a Chapter 313 agreement could reach an estimated \$50.5 million over the course of the agreement. This amount is net of any anticipated revenue losses for the District.

School Finance Mechanics

Under the current school finance system, the property values established by the Comptroller's Office that are used to calculate state aid and recapture lag by one year, a practical consequence of the fact that the Comptroller's Office needs this time to conduct its property value study and the audits of appraisal district operations in alternating years. A taxpayer receiving a value limitation pays M&O taxes on the reduced value for the project in years 3-10 and receives a tax bill for I&S taxes based on the full project value throughout the qualifying and value limitation period (and thereafter). The school funding formulas use the Comptroller's property values that reflect a reduction due to the property value limitation in years 4-11 as a result of the one-year lag in property values.

The third year is often problematical financially for a school district that approves a Chapter 313 value limitation. The implementation of the value limitation often results in a revenue loss to the school district in the third year of the agreement that would not be reimbursed by the state, but require some type of compensation from the applicant under the revenue protection provisions of the agreement. In years 4-10, smaller revenue losses would be anticipated when the state M&O property values are aligned at the minimum value established by the Board on both the local tax roll and the corresponding state property value study.

Under the HB 1 system adopted in 2006, most school districts received additional state aid for tax reduction (ASATR) that was used to maintain their target revenue amounts established at the revenue levels under old law for the 2005-06 or 2006-07 school years, whichever was highest. In terms of new Chapter 313 property value limitation agreements, adjustments to ASATR funding often moderated the impact of the reduced M&O collections as a result of the limitation, in contrast with the earlier formula-driven finance system.

House Bill 3646 as enacted in 2009 created more "formula" school districts that were less dependent on ASATR state aid than had been the case previously. The formula reductions enacted during the First Called Session in 2011 made \$4 billion in reductions to the existing school funding formulas for the 2011-12 and 2012-13 school years. For the 2011-12 school year, across-the-board reductions were made that reduced each district's WADA count and resulted in an estimated 781 school districts still receiving ASATR to maintain their target revenue funding levels, while an estimated 243 districts operated directly on the state formulas. For the 2012-13 school year, the changes called for smaller across-the-board reductions and funding ASATR-receiving target revenue districts at 92.35 percent of the level provided for under the existing funding formula, with 689 districts operating on formula and 335 districts still receiving ASATR funding.

Senate Bill 1 and House Bill 1025 as passed by the 83rd Legislature made significant increases to the basic allotment and other formula changes by appropriation. The ASATR reduction percentage is increased slightly to 92.63 percent, while the basic allotment is increased by \$325 and \$365, respectively, for the 2013-14 and 2014-15 school years. A slight increase in the guaranteed yield for the six cents above compressed—known as the Austin yield—is also included. With the basic allotment increase, it is estimated that approximately 300 school districts will still receive ASATR in the 2013-14 school year and 273 districts would do so in the 2014-15 school year. Current state policy calls for ASATR funding to be eliminated by the 2017-18 school year.

OISD is classified as a formula district under the estimates presented below. What this indicates is that the finances of the District are susceptible to changes in property values and M&O taxes like that associated with the implementation of the property value limitation.

One concern in projecting into the future is that the underlying state statutes in the Education Code were not changed in order to provide these funding increases. All of the major formula changes were made by appropriation, which gives them only a two-year lifespan unless renewed in the 2015 legislative session. Despite this uncertainty, it is assumed that these changes will remain in effect for the forecast period for the purpose of these estimates, assuming a continued legislative commitment to these funding levels in future years.

A key element in any analysis of the school finance implications is the provision for revenue protection in the agreement between the school district and the applicant. In the case of the Enterprise project, the agreement calls for a calculation of the revenue impact of the value limitation in years 3-10 of the agreement, under whatever school finance and property tax laws are in effect in each of those years. This meets the statutory requirement under Section 313.027(f)(1) of the Tax Code to provide school district revenue protection language in the agreement.

Underlying Assumptions

There are several approaches that can be used to analyze the future revenue stream of a school district under a value limitation. Whatever method is used, a reasonable analysis requires the use of a multi-year forecasting model that covers the years in which the agreement is in effect. The Chapter 313 application now requires 15 years of data and analysis on the project being considered for a property value limitation.

The general approach used here is to maintain static enrollment and property values in order to isolate the effects of the value limitation under the school finance system. The SB 1 basic allotment increases are reflected in the underlying models. The projected taxable values of the Enterprise project are factored into the base model used here in order to simulate the financial effects of building the Enterprise project in the absence of a value limitation agreement. The impact of the limitation value for the proposed Enterprise project is isolated separately and the focus of this analysis.

Student enrollment counts are held constant at 1,613 students in average daily attendance (ADA) in analyzing the effects of the Enterprise project on the finances of OISD. The District's local tax base reached \$424 million for the 2012 tax year and is maintained at that level for the forecast period in order to isolate the effects of the property value limitation. An M&O tax rate of \$1.04 per \$100 is used throughout this analysis. OISD has estimated state property wealth per weighted ADA or WADA of approximately \$202,004 for the 2012-13 school year. The enrollment and property value assumptions for the 15 years that are the subject of this analysis are summarized in Table 1.

School Finance Impact

School finance models were prepared for OISD under the assumptions outlined above through the 2029-30 school year. Beyond the 2014-15 school year, no attempt was made to forecast the 88th percentile or Austin yield that influence future state funding beyond the projected level for that school year. In the analyses for other districts and applicants on earlier projects, these changes appeared to have little impact on the revenue associated with the implementation of the property

value limitation, since the baseline and other models incorporate the same underlying assumptions.

Under the proposed agreement, a model is established to make a calculation of the “Baseline Revenue” by adding the value of the proposed Enterprise facility to the model, but without assuming that a value limitation is approved. The results of the model are shown in Table 2.

A second model is developed which adds the Enterprise value but imposes the proposed property value limitation effective in the third year, which in this case is the 2017-18 school year. The results of this model are identified as “Value Limitation Revenue Model” under the revenue protection provisions of the proposed agreement (see Table 3). A summary of the differences between these models is shown in Table 4.

Under these assumptions, OISD would experience a revenue loss of \$6.7 million as a result of the implementation of the \$10 million value limitation in the 2017-18 school year. The revenue reduction results from the mechanics of the state property value study that lags by one year in the computation of state aid.

The 2017 state property value study will reflect the \$10 million value limitation for M&O taxes and is the basis for calculating state aid in the 2018-19 school year. As the summary information shown in Table 4 indicates, OISD would be expected to receive \$6.6 million in offsetting state aid in 2018-19, with similar offsets for the remaining years that the value limitation is in effect.

The Comptroller’s state property value study clearly influences these calculations. At the school-district level, a taxpayer benefiting from a property value limitation has two property values assigned by the local appraisal district for their property covered by the limitation: (1) a reduced value for M&O taxes, and (2) the full taxable value for I&S taxes. This situation exists for the eight years that the value limitation is in effect. Two state value determinations are also made for school districts granting Chapter 313 agreements, consistent with local practice. A consolidated single state property value had been provided previously.

Impact on the Taxpayer

Table 5 summarizes the impact of the proposed property value limitation in terms of the potential tax savings under the property value limitation agreement. The focus of this table is on the M&O tax rate only. As noted previously, the property is fully taxable in the first two years under the agreement. A \$1.04 per \$100 of taxable value M&O rate is assumed in 2013-14 and thereafter.

Under the assumptions used here, the potential tax savings from the value limitation total \$49.4 million over the life of the agreement. In addition, Enterprise would be eligible for a tax credit for M&O taxes paid on value in excess of the \$10 million value limitation in each of the first two qualifying years. The credit amount is paid out slowly through years 4-10 due to statutory limits on the scale of these payments over these seven years, with catch-up payments permitted in years 11-13. The tax credits are expected to total approximately \$7.8 million over the life of the agreement, with no unpaid tax credits anticipated. The school district is to be reimbursed by the Texas Education Agency for the cost of these credits.

The key OISD revenue losses are expected to total approximately \$6.7 million under current law in the initial limitation year under the agreement. In total, the potential net tax benefits (inclusive of tax credits but after hold-harmless payments are made) are estimated to total \$50.5 million over the life of the agreement.

Facilities Funding Impact

The Enterprise project remains fully taxable for debt services taxes, with OISD currently levying a \$0.130 per \$100 I&S rate. A pre-project state wealth determination for OISD shows approximately \$263,404 per ADA, which makes the District eligible for IFA and EDA state support. (The state facilities programs provide a tax base guarantee equivalent to \$350,000 per ADA.) The Enterprise project value is expected to increase the District's projected wealth per ADA to \$656,286 in the peak year of I&S taxable project value. Based on the schedule included in the application, the peak value year will be the 2016-17 school year.

The Enterprise project is not expected to affect OISD in terms of enrollment. Continued expansion of the project and related development could result in additional employment in the area and an increase in the school-age population, but this project is unlikely to have much impact on a stand-alone basis.

Conclusion

The proposed Enterprise manufacturing project enhances the tax base of OISD. It reflects continued capital investment in keeping with the goals of Chapter 313 of the Tax Code.

Under the assumptions outlined above, the potential tax savings for the applicant under a Chapter 313 agreement could reach an estimated \$50.5 million. (This amount is net of any anticipated revenue losses for the District.) The additional taxable value also significantly enhances the tax base of OISD in meeting its future debt service obligations.

Table 1 – Base District Information with Enterprise Products, LB Project Value and Limitation Values

Year of Agreement	School Year	ADA	WADA	M&O Tax Rate	I&S Tax Rate	CAD Value with Project	CAD Value with Limitation	CPTD with Project	CPTD With Limitation	CPTD Value with Project per WADA	CPTD Value with Limitation per WADA
Pre-Year 1	2014-15	1,678.21	2,312.95	\$1.0400	\$0.1300	\$423,961,235	\$423,961,235	\$441,990,369	\$441,990,369	\$191,094	\$191,094
1	2015-16	1,678.21	2,312.95	\$1.0400	\$0.1300	\$536,752,485	\$536,752,485	\$441,990,369	\$441,990,369	\$191,094	\$191,094
2	2016-17	1,678.21	2,312.95	\$1.0400	\$0.1300	\$1,083,356,235	\$1,083,356,235	\$554,781,619	\$554,781,619	\$239,859	\$239,859
3	2017-18	1,678.21	2,312.95	\$1.0400	\$0.1300	\$1,070,848,553	\$433,961,235	\$1,101,385,369	\$1,101,385,369	\$476,182	\$476,182
4	2018-19	1,678.21	2,312.95	\$1.0400	\$0.1300	\$1,057,910,807	\$433,961,235	\$1,088,877,687	\$451,990,369	\$470,774	\$195,417
5	2019-20	1,678.21	2,312.95	\$1.0400	\$0.1300	\$1,045,231,815	\$433,961,235	\$1,075,939,941	\$451,990,369	\$465,181	\$195,417
6	2020-21	1,678.21	2,312.95	\$1.0400	\$0.1300	\$1,032,806,404	\$433,961,235	\$1,063,260,949	\$451,990,369	\$459,699	\$195,417
7	2021-22	1,678.21	2,312.95	\$1.0400	\$0.1300	\$1,020,629,500	\$433,961,235	\$1,050,835,538	\$451,990,369	\$454,327	\$195,417
8	2022-23	1,678.21	2,312.95	\$1.0400	\$0.1300	\$1,008,696,135	\$433,961,235	\$1,038,658,634	\$451,990,369	\$449,062	\$195,417
9	2023-24	1,678.21	2,312.95	\$1.0400	\$0.1300	\$997,001,437	\$433,961,235	\$1,026,725,269	\$451,990,369	\$443,903	\$195,417
10	2024-25	1,678.21	2,312.95	\$1.0400	\$0.1300	\$985,540,633	\$433,961,235	\$1,015,030,571	\$451,990,369	\$438,847	\$195,417
11	2025-26	1,678.21	2,312.95	\$1.0400	\$0.1300	\$974,309,045	\$974,309,045	\$1,003,569,767	\$451,990,369	\$433,891	\$195,417
12	2026-27	1,678.21	2,312.95	\$1.0400	\$0.1300	\$963,302,089	\$963,302,089	\$992,338,179	\$992,338,179	\$429,036	\$429,036
13	2027-28	1,678.21	2,312.95	\$1.0400	\$0.1300	\$952,515,272	\$952,515,272	\$981,331,223	\$981,331,223	\$424,277	\$424,277
14	2028-29	1,678.21	2,312.95	\$1.0400	\$0.1300	\$941,944,191	\$941,944,191	\$970,544,406	\$970,544,406	\$419,613	\$419,613
15	2029-30	1,678.21	2,312.95	\$1.0400	\$0.1300	\$931,584,532	\$931,584,532	\$959,973,325	\$959,973,325	\$415,043	\$415,043

Table 2– “Baseline Revenue Model”--Project Value Added with No Value Limitation*

Year of Agreement	School Year	M&O Taxes @ Compressed Rate	State Aid	Additional State Aid- Hold Harmless	Recapture Costs	Additional Local M&O Collections	State Aid From Additional M&O Tax Collections	Recapture from the Additional Local Tax Effort	Total General Fund
Pre-Year 1	2014-15	\$4,142,093	\$7,862,146	\$0	\$0	\$165,684	\$370,801	\$0	\$12,540,724
1	2015-16	\$5,247,447	\$7,862,146	\$0	\$0	\$209,898	\$477,481	\$0	\$13,796,972
2	2016-17	\$10,604,164	\$6,734,234	\$0	\$0	\$424,167	\$682,710	\$0	\$18,445,275
3	2017-18	\$10,574,589	\$1,268,196	\$0	\$0	\$422,984	\$132,798	\$0	\$12,398,567
4	2018-19	\$10,443,049	\$1,393,273	\$0	\$0	\$417,722	\$137,601	\$0	\$12,391,645
5	2019-20	\$10,314,282	\$1,522,651	\$0	\$0	\$412,571	\$142,198	\$0	\$12,391,702
6	2020-21	\$10,188,226	\$1,649,441	\$0	\$0	\$407,529	\$147,054	\$0	\$12,392,250
7	2021-22	\$10,064,820	\$1,773,695	\$0	\$0	\$402,593	\$151,813	\$0	\$12,392,921
8	2022-23	\$9,944,005	\$1,895,464	\$0	\$0	\$397,760	\$156,477	\$0	\$12,393,706
9	2023-24	\$9,825,721	\$2,014,797	\$0	\$0	\$393,029	\$161,047	\$0	\$12,394,594
10	2024-25	\$9,709,914	\$2,131,744	\$0	\$0	\$388,397	\$165,526	\$0	\$12,395,581
11	2025-26	\$9,535,502	\$2,246,352	\$0	\$0	\$381,420	\$168,584	\$0	\$12,331,858
12	2026-27	\$9,427,634	\$2,358,668	\$0	\$0	\$377,105	\$172,852	\$0	\$12,336,259
13	2027-28	\$9,321,923	\$2,468,738	\$0	\$0	\$372,877	\$177,035	\$0	\$12,340,573
14	2028-29	\$9,218,326	\$2,576,606	\$0	\$0	\$368,733	\$181,134	\$0	\$12,344,799
15	2029-30	\$9,116,802	\$2,682,317	\$0	\$0	\$364,672	\$185,151	\$0	\$12,348,942

*Basic Allotment: \$5,040; AISD Yield: \$61.86; Equalized Wealth: \$504,000 per WADA

Table 3-- "Value Limitation Revenue Model"--Project Value Added with Value Limit*

Year of Agreement	School Year	M&O Taxes @ Compressed Rate	State Aid	Additional State Aid-Hold Harmless	Recapture Costs	Additional Local M&O Collections	State Aid From Additional M&O Tax Collections	Recapture from the Additional Local Tax Effort	Total General Fund
Pre-Year 1	2014-15	\$4,142,093	\$7,862,146	\$0	\$0	\$165,684	\$370,801	\$0	\$12,540,724
1	2015-16	\$5,247,447	\$7,862,146	\$0	\$0	\$209,898	\$477,481	\$0	\$13,796,972
2	2016-17	\$10,604,164	\$6,734,234	\$0	\$0	\$424,167	\$682,710	\$0	\$18,445,275
3	2017-18	\$4,240,093	\$1,268,196	\$0	\$0	\$169,604	\$53,258	\$0	\$5,731,151
4	2018-19	\$4,240,093	\$7,762,146	\$0	\$0	\$169,604	\$373,209	\$0	\$12,545,052
5	2019-20	\$4,240,093	\$7,762,146	\$0	\$0	\$169,604	\$373,209	\$0	\$12,545,052
6	2020-21	\$4,240,093	\$7,762,146	\$0	\$0	\$169,604	\$373,209	\$0	\$12,545,052
7	2021-22	\$4,240,093	\$7,762,146	\$0	\$0	\$169,604	\$373,209	\$0	\$12,545,052
8	2022-23	\$4,240,093	\$7,762,146	\$0	\$0	\$169,604	\$373,209	\$0	\$12,545,052
9	2023-24	\$4,240,093	\$7,762,146	\$0	\$0	\$169,604	\$373,209	\$0	\$12,545,052
10	2024-25	\$4,240,093	\$7,762,146	\$0	\$0	\$169,604	\$373,209	\$0	\$12,545,052
11	2025-26	\$9,535,502	\$7,762,146	\$0	\$0	\$381,420	\$839,968	\$0	\$18,519,036
12	2026-27	\$9,427,634	\$2,358,668	\$0	\$0	\$377,105	\$172,852	\$0	\$12,336,259
13	2027-28	\$9,321,923	\$2,468,738	\$0	\$0	\$372,877	\$177,035	\$0	\$12,340,573
14	2028-29	\$9,218,326	\$2,576,606	\$0	\$0	\$368,733	\$181,134	\$0	\$12,344,799
15	2029-30	\$9,116,802	\$2,682,317	\$0	\$0	\$364,672	\$185,151	\$0	\$12,348,942

*Basic Allotment: \$5,040; AISD Yield: \$61.86; Equalized Wealth: \$504,000 per WADA

Table 4 -- Value Limit less Project Value with No Limit

Year of Agreement	School Year	M&O Taxes @ Compressed Rate	State Aid	Additional State Aid-Hold Harmless	Recapture Costs	Additional Local M&O Collections	State Aid From Additional M&O Tax Collections	Recapture from the Additional Local Tax Effort	Total General Fund
Pre-Year 1	2014-15	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1	2015-16	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2	2016-17	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
3	2017-18	-\$6,334,496	\$0	\$0	\$0	-\$253,380	-\$79,540	\$0	-\$6,667,416
4	2018-19	-\$6,202,956	\$6,368,873	\$0	\$0	-\$248,118	\$235,608	\$0	\$153,407
5	2019-20	-\$6,074,189	\$6,239,495	\$0	\$0	-\$242,967	\$231,011	\$0	\$153,350
6	2020-21	-\$5,948,133	\$6,112,705	\$0	\$0	-\$237,925	\$226,155	\$0	\$152,802
7	2021-22	-\$5,824,727	\$5,988,451	\$0	\$0	-\$232,989	\$221,396	\$0	\$152,131
8	2022-23	-\$5,703,912	\$5,866,682	\$0	\$0	-\$228,156	\$216,732	\$0	\$151,346
9	2023-24	-\$5,585,628	\$5,747,349	\$0	\$0	-\$223,425	\$212,162	\$0	\$150,458
10	2024-25	-\$5,469,821	\$5,630,402	\$0	\$0	-\$218,793	\$207,683	\$0	\$149,471
11	2025-26	\$0	\$5,515,794	\$0	\$0	\$0	\$671,384	\$0	\$6,187,178
12	2026-27	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
13	2027-28	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
14	2028-29	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
15	2029-30	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Table 5 - Estimated Financial Impact of the Enterprise Products, LB Project Property Value Limitation Request Submitted to OISD at \$1.04 M&O Tax Rate

Year of Agreement	School Year	Project Value	Estimated Taxable Value	Value Savings	Assumed M&O Tax Rate	Taxes Before Value Limit	Taxes after Value Limit	Tax Savings @ Projected M&O Rate	Tax Credits for First Two Years Above Limit	Tax Benefit to Company Before Revenue Protection	School District Revenue Losses	Estimated Net Tax Benefits
Pre-Year 1	2014-15	\$0	\$0	\$0	\$1.040	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1	2015-16	\$112,791,250	\$112,791,250	\$0	\$1.040	\$1,173,029	\$1,173,029	\$0	\$0	\$0	\$0	\$0
2	2016-17	\$659,395,000	\$659,395,000	\$0	\$1.040	\$6,857,708	\$6,857,708	\$0	\$0	\$0	\$0	\$0
3	2017-18	\$646,887,318	\$10,000,000	\$636,887,318	\$1.040	\$6,727,628	\$104,000	\$6,623,628	\$0	\$6,623,628	-\$6,667,416	-\$43,788
4	2018-19	\$633,949,572	\$10,000,000	\$623,949,572	\$1.040	\$6,593,076	\$104,000	\$6,489,076	\$464,067	\$6,953,143	\$0	\$6,953,143
5	2019-20	\$621,270,580	\$10,000,000	\$611,270,580	\$1.040	\$6,461,214	\$104,000	\$6,357,214	\$455,826	\$6,813,040	\$0	\$6,813,040
6	2020-21	\$608,845,169	\$10,000,000	\$598,845,169	\$1.040	\$6,331,990	\$104,000	\$6,227,990	\$447,749	\$6,675,739	\$0	\$6,675,739
7	2021-22	\$596,668,265	\$10,000,000	\$586,668,265	\$1.040	\$6,205,350	\$104,000	\$6,101,350	\$439,834	\$6,541,184	\$0	\$6,541,184
8	2022-23	\$584,734,900	\$10,000,000	\$574,734,900	\$1.040	\$6,081,243	\$104,000	\$5,977,243	\$432,078	\$6,409,321	\$0	\$6,409,321
9	2023-24	\$573,040,202	\$10,000,000	\$563,040,202	\$1.040	\$5,959,618	\$104,000	\$5,855,618	\$424,476	\$6,280,094	\$0	\$6,280,094
10	2024-25	\$561,579,398	\$10,000,000	\$551,579,398	\$1.040	\$5,840,426	\$104,000	\$5,736,426	\$417,027	\$6,153,452	\$0	\$6,153,452
11	2025-26	\$550,347,810	\$550,347,810	\$0	\$1.040	\$5,723,617	\$5,723,617	\$0	\$4,741,680	\$4,741,680	\$0	\$4,741,680
12	2026-27	\$539,340,854	\$539,340,854	\$0	\$1.040	\$5,609,145	\$5,609,145	\$0	\$0	\$0	\$0	\$0
13	2027-28	\$528,554,037	\$528,554,037	\$0	\$1.040	\$5,496,962	\$5,496,962	\$0	\$0	\$0	\$0	\$0
14	2028-29	\$517,982,956	\$517,982,956	\$0	\$1.040	\$5,387,023	\$5,387,023	\$0	\$0	\$0	\$0	\$0
15	2029-30	\$507,623,297	\$507,623,297	\$0	\$1.040	\$5,279,282	\$5,279,282	\$0	\$0	\$0	\$0	\$0
						\$85,727,310	\$36,358,766	\$49,368,544	\$7,822,737	\$57,191,281	-\$6,667,416	\$50,523,865
Tax Credit for Value Over Limit in First 2 Years									Year 1	Year 2	Max Credits	
									\$1,069,029	\$6,753,708	\$7,822,737	
									Credits Earned		\$7,822,737	
									Credits Paid		\$7,822,737	
									Excess Credits Unpaid		\$0	

***Note:** School District Revenue-Loss estimates are subject to change based on numerous factors, including legislative and Texas Education Agency administrative changes to school finance formulas, year-to-year appraisals of project values, and changes in school district tax rates. One of the most substantial changes to the school finance formulas related to Chapter 313 revenue-loss projections could be the treatment of Additional State Aid for Tax Reduction (ASATR). Legislative intent is to end ASATR in 2017-18 school year, the same year the value limitation takes effect. Additional information on the assumptions used in preparing these estimates is provided in the narrative of this Report.

Attachment 3

Orange County

Population

- Total county population in 2010 for Orange County: 82,453 , up 0.5 percent from 2009. State population increased 1.8 percent in the same time period.
- Orange County was the state's 45th largest county in population in 2010 and the 148 th fastest growing county from 2009 to 2010.
- Orange County's population in 2009 was 82.8 percent Anglo (above the state average of 46.7 percent), 9.2 percent African-American (below the state average of 11.3 percent) and 5.4 percent Hispanic (below the state average of 36.9 percent).
- 2009 population of the largest cities and places in Orange County:

Orange:	19,616	Vidor:	10,714
Bridge City:	8,466	West Orange:	3,716
Pinehurst:	2,105	Pine Forest:	601
Rose City:	492		

Economy and Income

Employment

- September 2011 total employment in Orange County: 37,780 , up 0.6 percent from September 2010. State total employment increased 0.9 percent during the same period.
(October 2011 employment data will be available November 18, 2011).
- September 2011 Orange County unemployment rate: 11.5 percent, up from 10.9 percent in September 2010. The statewide unemployment rate for September 2011 was 8.5 percent, up from 8.2 percent in September 2010.
- September 2011 unemployment rate in the city of:

(Note: County and state unemployment rates are adjusted for seasonal fluctuations, but the Texas Workforce Commission city unemployment rates are not. Seasonally-adjusted unemployment rates are not comparable with unadjusted rates).

Income

- Orange County's ranking in per capita personal income in 2009: 89th with an average per capita income of \$35,070, up 1.4 percent from 2008. Statewide average per capita personal income was \$38,609 in 2009, down 3.1 percent from 2008.

Industry

- Agricultural cash values in Orange County averaged \$17.98 million annually from 2007 to 2010. County total agricultural values in 2010 were up 6.6 percent from 2009. Major agriculture related commodities in Orange County during 2010 included:
 - Nursery
 - Hay
 - Christmas Trees
 - Other Beef
 - Timber
- 2011 oil and gas production in Orange County: 250,575.0 barrels of oil and 8.6 million Mcf of gas. In September 2011, there were 132 producing oil wells and 43 producing gas wells.

Taxes

Sales Tax - Taxable Sales

(County and city taxable sales data for 1st quarter 2011 is currently targeted for release in mid-September 2011).

Quarterly (September 2010 through December 2010)

- Taxable sales in Orange County during the fourth quarter 2010: \$131.81 million, up 0.1 percent from the same quarter in 2009.
- Taxable sales during the fourth quarter 2010 in the city of:

Orange:	\$35.53 million, down 0.8 percent from the same quarter in 2009.
Vidor:	\$26.96 million, up 0.6 percent from the same quarter in 2009.
Bridge City:	\$14.76 million, up 3.5 percent from the same quarter in 2009.
West Orange:	\$21.06 million, down 4.6 percent from the same quarter in 2009.
Pinehurst:	\$11.25 million, up 1.3 percent from the same quarter in 2009.
Pine Forest:	\$231,073.00, down 15.1 percent from the same quarter in 2009.
Rose City:	\$2.40 million, down 11.3 percent from the same quarter in 2009.

Taxable Sales through the end of 4th quarter 2010 (January 2010 through December 30, 2010)

- Taxable sales in Orange County through the fourth quarter of 2010: \$511.21 million, down 10.9 percent from the same period in 2009.
- Taxable sales through the fourth quarter of 2010 in the city of:

Orange:	\$142.60 million, down 18.4 percent from the same period in 2009.
Vidor:	\$103.61 million, down 11.1 percent from the same period in 2009.
Bridge City:	\$55.90 million, down 2.7 percent from the same period in 2009.
West Orange:	\$76.32 million, down 6.8 percent from the same period in 2009.

Orange County

Pinehurst:	\$42.84 million, down 10.9 percent from the same period in 2009.
Pine Forest:	\$978,046.00, down 10.6 percent from the same period in 2009.
Rose City:	\$10.06 million, down 27.1 percent from the same period in 2009.

Annual (2010)

- Taxable sales in Orange County during 2010: \$511.21 million, down 10.9 percent from 2009.
- Orange County sent an estimated \$31.95 million (or 0.19 percent of Texas' taxable sales) in state sales taxes to the state treasury in 2010.
- Taxable sales during 2010 in the city of:

Orange:	\$142.60 million, down 18.4 percent from 2009.
Vidor:	\$103.61 million, down 11.1 percent from 2009.
Bridge City:	\$55.90 million, down 2.7 percent from 2009.
West Orange:	\$76.32 million, down 6.8 percent from 2009.
Pinehurst:	\$42.84 million, down 10.9 percent from 2009.
Pine Forest:	\$978,046.00, down 10.6 percent from 2009.
Rose City:	\$10.06 million, down 27.1 percent from 2009.

Sales Tax – Local Sales Tax Allocations

(The release date for sales tax allocations to cities for the sales activity month of September 2011 is currently scheduled for November 9, 2011.)

Monthly

- Statewide payments based on the sales activity month of August 2011: \$505.22 million, up 13.9 percent from August 2010.
- Payments to all cities in Orange County based on the sales activity month of August 2011: \$621,095.06, down 0.2 percent from August 2010.
- Payment based on the sales activity month of August 2011 to the city of:

Orange:	\$246,970.55, down 3.8 percent from August 2010.
Vidor:	\$143,866.06, up 1.3 percent from August 2010.
Bridge City:	\$89,119.53, up 9.0 percent from August 2010.
West Orange:	\$74,794.99, down 0.5 percent from August 2010.
Pinehurst:	\$52,982.58, up 2.7 percent from August 2010.
Pine Forest:	\$2,380.92, down 7.1 percent from August 2010.
Rose City:	\$10,980.43, down 12.1 percent from August 2010.

Fiscal Year

- Statewide payments based on sales activity months from September 2010 through August 2011: \$6.08 billion, up 8.0 percent from the same period in 2010.
- Payments to all cities in Orange County based on sales activity months from September 2010 through August 2011: \$8.50 million, down 2.1 percent from fiscal 2010.
- Payments based on sales activity months from September 2010 through August 2011 to the city of:

Orange:	\$3.46 million, down 6.5 percent from fiscal 2010.
Vidor:	\$2.00 million, up 3.3 percent from fiscal 2010.
Bridge City:	\$1.15 million, up 1.9 percent from fiscal 2010.
West Orange:	\$1.00 million, up 0.7 percent from fiscal 2010.
Pinehurst:	\$699,264.02, down 0.2 percent from fiscal 2010.
Pine Forest:	\$31,632.30, up 1.6 percent from fiscal 2010.
Rose City:	\$154,149.22, down 15.6 percent from fiscal 2010.

January 2011 through August 2011 (Sales Activity Year-To-Date)

- Statewide payments based on sales activity months through August 2011: \$3.99 billion, up 8.3 percent from the same period in 2010.
- Payments to all cities in Orange County based on sales activity months through August 2011: \$5.36 million, down 2.7 percent from the same period in 2010.
- Payments based on sales activity months through August 2011 to the city of:

Orange:	\$2.15 million, down 7.0 percent from the same period in 2010.
Vidor:	\$1.27 million, up 1.5 percent from the same period in 2010.
Bridge City:	\$728,418.29, unchanged 0.0 percent from the same period in 2010.
West Orange:	\$645,499.61, up 1.9 percent from the same period in 2010.
Pinehurst:	\$452,775.65, down 0.4 percent from the same period in 2010.
Pine Forest:	\$21,074.59, down 2.6 percent from the same period in 2010.
Rose City:	\$96,667.98, down 14.9 percent from the same period in 2010.

12 months ending in August 2011

- Statewide payments based on sales activity in the 12 months ending in August 2011: \$6.08 billion, up 8.0 percent from the previous 12-month period.
- Payments to all cities in Orange County based on sales activity in the 12 months ending in August 2011: \$8.50 million, down 2.1 percent from the previous 12-month period.
- Payments based on sales activity in the 12 months ending in August 2011 to the city of:

Orange:	\$3.46 million, down 6.5 percent from the previous 12-month period.
Vidor:	\$2.00 million, up 3.3 percent from the previous 12-month period.
Bridge City:	\$1.15 million, up 1.9 percent from the previous 12-month period.
West Orange:	\$1.00 million, up 0.7 percent from the previous 12-month period.
Pinehurst:	\$699,264.02, down 0.2 percent from the previous 12-month period.
Pine Forest:	\$31,632.30, up 1.6 percent from the previous 12-month period.
Rose City:	\$154,149.22, down 15.6 percent from the previous 12-month period.

■ **City Calendar Year-To-Date (RJ 2011)**

- Payment to the cities from January 2011 through October 2011:

Orange:	\$2.83 million, down 5.7 percent from the same period in 2010.
Vidor:	\$1.63 million, up 1.3 percent from the same period in 2010.
Bridge City:	\$943,084.84, up 0.2 percent from the same period in 2010.
West Orange:	\$840,574.93, up 0.7 percent from the same period in 2010.
Pinehurst:	\$592,383.49, up 2.0 percent from the same period in 2010.
Pine Forest:	\$26,274.83, down 1.3 percent from the same period in 2010.
Rose City:	\$123,170.99, down 12.3 percent from the same period in 2010.

Annual (2010)

- Statewide payments based on sales activity months in 2010: \$5.77 billion, up 3.3 percent from 2009.
- Payments to all cities in Orange County based on sales activity months in 2010: \$8.65 million, down 10.7 percent from 2009.
- Payment based on sales activity months in 2010 to the city of:

Orange:	\$3.62 million, down 12.9 percent from 2009.
Vidor:	\$1.99 million, down 5.7 percent from 2009.
Bridge City:	\$1.15 million, down 10.5 percent from 2009.
West Orange:	\$990,298.91, down 8.8 percent from 2009.
Pinehurst:	\$700,990.01, down 12.9 percent from 2009.
Pine Forest:	\$32,198.87, down 2.9 percent from 2009.
Rose City:	\$171,110.02, down 22.0 percent from 2009.

Property Tax

- As of January 2009, property values in Orange County: \$5.20 billion, down 5.9 percent from January 2008 values. The property tax base per person in Orange County is \$63,527, below the statewide average of \$85,809. About 3.7 percent of the property tax base is derived from oil, gas and minerals.

State Expenditures

- Orange County's ranking in state expenditures by county in fiscal year 2010: 46th. State expenditures in the county for FY2010: \$310.26 million, up 0.2 percent from FY2009.
- In Orange County, 13 state agencies provide a total of 383 jobs and \$3.87 million in annualized wages (as of 1st quarter 2011).
- Major state agencies in the county (as of first quarter 2011):

▪ Lamar University	▪ Department of Family and Protective Services
▪ Health & Human Services Commission	▪ Department of Transportation
▪ Department of Public Safety	

Higher Education

- Community colleges in Orange County fall 2010 enrollment:
 - None.

- Orange County is in the service area of the following:

- Institutions of higher education in Orange County fall 2010 enrollment:
 - Lamar State College-Orange, a Public State College (part of Texas State University System), had 2,649 students.

School Districts

- Orange County had 5 school districts with 27 schools and 15,336 students in the 2009-10 school year.
(Statewide, the average teacher salary in school year 2009-10 was \$48,263. The percentage of students, statewide, meeting the 2010 TAKS passing standard for all 2009-10 TAKS tests was 77 percent.)
 - Bridge City ISD had 2,481 students in the 2009-10 school year. The average teacher salary was \$42,578. The percentage of students meeting the 2010 TAKS passing standard for all tests was 83 percent.
 - Little Cypress-Mauriceville ISD had 3,621 students in the 2009-10 school year. The average teacher salary was \$42,820. The percentage of students meeting the 2010 TAKS passing standard for all tests was 79 percent.
 - Orangefield ISD had 1,754 students in the 2009-10 school year. The average teacher salary was \$43,563. The percentage of students meeting the 2010 TAKS passing standard for all tests was 81 percent.
 - Vidor ISD had 4,935 students in the 2009-10 school year. The average teacher salary was \$45,100. The percentage of students meeting the 2010 TAKS passing standard for all tests was 79 percent.
 - West Orange-Cove CISD had 2,545 students in the 2009-10 school year. The average teacher salary was \$44,360. The percentage of students meeting the 2010 TAKS passing standard for all tests was 54 percent.